

I. AMENDMENTS

In the Claims:

Please amend claims 10, 11, 15 and 30 as follows:

10. (Twice Amended) A test kit useful for detecting a polynucleotide in a test sample, comprising a container containing at least one polynucleotide that [comprises a polynucleotide capable of (i) selectively hybridizing to] (i) specifically binds and (ii) [having] has at least about 70% identity with a sequence selected from the group consisting of SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3; SEQUENCE ID NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID NO 7; SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12; SEQUENCE ID NO 13; fragments comprising at least about 10 contiguous nucleotides of any of SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

11. (Twice Amended) A purified polynucleotide that [comprises a polynucleotide capable of (i) selectively hybridizing to] (i) specifically binds and (ii) [having] has at least about 70% identity with a sequence selected from the group consisting of SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3; SEQUENCE ID NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID NO 7; SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12; SEQUENCE ID NO 13; fragments comprising at least about 10 contiguous nucleotides of any of SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

15. (Twice Amended) A recombinant expression system comprising a nucleic acid sequence that includes an open reading frame operably linked to a control sequence compatible with a desired host, wherein said nucleic acid sequence [comprises a polynucleotide capable of (i) selectively hybridizing to] (i) specifically binds and (ii) [having] has at least about 70% identity with a sequence selected from the group

Al
C2
B2
W
consisting of SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3;
SEQUENCE ID NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID
NO 7; SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12;
SEQUENCE ID NO 13; fragments comprising at least about 10 contiguous nucleotides
of any of SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

mb
CH
B3
30. (Twice Amended) A cell transfected with a nucleic acid sequence, said
nucleic acid sequence comprising a polynucleotide encoding at least one epitope, wherein
said polynucleotide (i) [is capable of selectively hybridizing to] specifically binds, and
(ii) has at least about 70% identity with a sequence selected from the group consisting of
SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3; SEQUENCE ID
NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID NO 7;
SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12; SEQUENCE ID
NO 13; fragments comprising at least about 10 contiguous nucleotides of any of
SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

Please add new claims 40-43 as follows:

B4
--40. (New) The test kit of claim 10, wherein the at least one polynucleotide has
at least about 90% identity with a sequence selected from the group consisting of
SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3; SEQUENCE ID
NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID NO 7;
SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12; SEQUENCE ID
NO 13; fragments comprising at least about 10 contiguous nucleotides of any of
SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

41. (New) The purified polynucleotide of claim 11, wherein the purified
polynucleotide has at least about 90% identity with a sequence selected from the group
consisting of SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3;
SEQUENCE ID NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID

NO 7; SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12;
SEQUENCE ID NO 13; fragments comprising at least about 10 contiguous nucleotides
of any of SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

42. (New) The recombinant expression system of claim 15, wherein the
nucleic acid sequence has at least about 90% identity with a sequence selected from the
group consisting of SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO
3; SEQUENCE ID NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE
ID NO 7; SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12;
SEQUENCE ID NO 13; fragments comprising at least about 10 contiguous nucleotides
of any of SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.

43. (New) The transfected cell of claim 30, wherein said polynucleotide has at
least about 90% identity with a sequence selected from the group consisting of
SEQUENCE ID NO 1; SEQUENCE ID NO 2; SEQUENCE ID NO 3; SEQUENCE ID
NO 4; SEQUENCE ID NO 5; SEQUENCE ID NO 6; SEQUENCE ID NO 7;
SEQUENCE ID NO 8; SEQUENCE ID NO 9; SEQUENCE ID NO 12; SEQUENCE ID
NO 13; fragments comprising at least about 10 contiguous nucleotides of any of
SEQUENCE ID NOs 1, 2, 3, 4, 5; and complements thereof.--

II. REMARKS

Claims 1-39 are pending. Claims 1-9, 17-24, 26-29, 31-34 and 36-37 are
withdrawn from consideration. Claims 10-16, 25, 30, 35 and 38-39 have been rejected by
the Examiner.

The Examiner has rejected claims 10-16, 25, 30, 35 and 38-39 under 35 U.S.C.
§112, second paragraph, asserting that the claims are indefinite for failing to particularly
point out and distinctly claim the subject matter which the applicant regards as the
invention. Claims 10, 11, 15 and 30 have been amended herein to further clarify the
invention. Basis for these amendments, in particular replacing "selectively hybridizing"